

GLENN AGRE BERGMAN & FUENTES



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Via ECF

Honorable Lewis J. Liman
United States District Court Southern District of New York
500 Pearl Street, Room 701
New York, NY 10007

Re: *Tropic Technologies, Inc. v. Vendr, Inc. et al.*,
No. 1:22-cv-06043-LJL

Dear Judge Liman:

I write with respect to new information that may be relevant to the upcoming TRO hearing in this matter. We are providing the Court with this information so that Your Honor and the Defendants can review it prior to the hearing.

On the afternoon of July 15, when we were already in process of filing our emergency application, we received a letter from Defendant Stephen Anderson's lawyer, Jeff Wang, in which he claimed that Mr. Anderson had supposedly collected hundreds of documents containing trade secrets supposedly to benefit Plaintiff Tropic Technologies, Inc. ("Tropic"), as opposed to stealing from Tropic. This letter also focused on the fact that Mr. Anderson was supposedly a resident of California. Since the filing process had already started and Mr. Anderson was at that time set to start on the following Monday, July 18, we could not halt the filing process to address Mr. Wang's letter.

Many of those same claims were reiterated in Mr. Anderson's declaration filed earlier today, although he now appears to contend that he saved documents from two Tropic laptops to an external hard drive. As set forth in Tropic's moving papers, the issue is Mr. Anderson's downloading of documents from the company's Google Drive prior to his departure, not documents that he saved in the past to laptops for normal business use.

We have now reviewed the factual assertions Mr. Anderson has made and are enclosing information relevant to them. Please find enclosed (1) a declaration from Justin Etkin, Tropic's Co-Founder and Chief Operating Officer, that explains Mr. Anderson downloaded hundreds of Tropic documents between June 21 and July 6, 2022, and addresses conversations he and others had with Mr. Anderson; (2) a declaration from Patrick Unnold, Tropic's Senior Vice President of Customer Experience, about a meeting he had with Mr. Anderson on the former's last day at Tropic; (3) a Deed of Trust, dated June 1, 2022, which

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states Mr. Anderson's address is 3010 Pearl St., Englewood, Colorado, 80113; and (4) a General Warranty deed, dated May 27, 2022, that contains the same address for Mr. Anderson.

We will be prepared to address any questions Your Honor has about these materials at the hearing.

Respectfully submitted,

/s/L. Reid Skibell
Reid Skibell